

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

BRIAN K. JONES, JR.,)	
)	
Plaintiff,)	
)	
v.)	3:07-cv-317
)	<i>Phillips</i>
)	
CORP. BILL FANCHER,)	
)	
Defendant.)	

JUDGMENT ORDER

In accordance with the accompanying Memorandum, the defendant's motion for summary judgment is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies. All other pending motions are **DENIED** as **MOOT**. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

E N T E R:

s/ Thomas W. Phillips
United States District Judge

ENTERED AS A JUDGMENT
s/ Patricia L. McNutt
CLERK OF COURT